UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
1200 Sixth Avenue
Seattle, WA 98101

November 13, 2007

Reply To
Attn Of: ETPA-088 Ref.: 06-070-AFS

Mr. Tom Reilly, Forest Supervisor
Clearwater National Forest
12730 U.S. Highway 12
Orofino, ID 83544

Dear Mr. Reilly:

The U.S. Environmental Protection Agency (EPA) has reviewed the draft Environmental Impact Statement (EIS) for the proposed **Cherry Dinner Project** (CEQ# 20070396) on Palouse Ranger District of the Clearwater National Forest in Latah County, ID. Our review was conducted in accordance with our responsibilities under the National Environmental Policy Act (NEPA) and Section 309 of the Clean Air Act. Section 309 specifically directs EPA to review and comment in writing on the environmental impacts associated with all major federal actions. Under our policies and procedures, we also evaluate the document's adequacy in meeting NEPA requirements.

The draft EIS analyzes environmental impacts of a proposal to implement activities for vegetation management, hazardous fuels, access, watershed improvements, and an update to the fish/water quality standards of the existing Clearwater National Forest Plan. All of these activities would occur within a 20,470-acre analysis area or Cherry Dinner project located between the towns of Helmer and Bovill in Idaho. Past railroad logging, grazing, road construction, timber harvesting, and other forest management activities in the area have resulted in stream channelization, soil compaction, excess sediment production, bank instability, and alteration of fisheries habitat and plant species composition. The Forest Service (FS) therefore needs to take action to move resource conditions within the analysis area closer to the goals and desired future conditions as identified in the Clearwater National Forest Plan. Before any decision to proceed with the project can be made and for the public to understand the implications, the FS developed and analyzed the following three alternative actions to evaluate what environmental effects, if any, would be associated with the proposed project.

1. **No Action**. Under this alternative, there would be no change from current management and the proposed project would not take place. As a result, current impacts to resources would continue.
2. **Proposed and Preferred Alternative.** Under Alternative 2, FS would initiate a series of activities, including timber harvest on nearly 2,083 acres, fuels reduction on about 306 acres, watershed restoration, and access management. These timber harvests would require construction of nearly 10 miles of new roads, over 9 miles of road reconstruction, and 17 miles of road reconditioning. Fuel reduction activities would involve site

preparation in regeneration harvest units, treatment of fuels in other harvest units, and slashing and under-burning in areas outside timber harvest units. Under watershed restoration activities, there would be nearly 24 miles of road decommissioning, 23 miles of intermittent road storage, and 4 miles of streambank stabilization along Potlatch River and its tributaries. For access management, there would be construction of All Terrain Vehicles (ATVs) connector trail (0.5 miles), designation of user created trails onto the trail system and obliteration of 0.9 miles of user created trail, conversion of nearly 2 miles of decommissioned roads into ATV trail, and placement of about 0.4 miles of newly constructed roads in intermittent term service open to ATV and motorcycle traffic.

3. **Existing Roads.** Under this Alternative, the timber harvest would take place on 587 acres. Also, road activities associated with such timber harvest would be limited to about 8 miles of road reconstruction and nearly 13 miles of road reconditioning. Road decommissioning and intermittent storage would be slightly less than the Preferred Alternative at 20 miles and 17.5 miles under Alternative 3, respectively. Access management activities would also be limited to obliteration of 0.9 miles of user created trail and other actions identified in Cherry Dinner Road Analysis. Precommercial thinning, streambank stabilization, and fuel reduction activities would be the same as under the Preferred Alternative.

Overall, the draft EIS includes a good description of the purposes and needs for each proposed activity, discussion of alternative actions, analysis of impacts including cumulative effects, and actions to offset the impacts and monitor their effectiveness. The draft EIS also indicates that Best Management Practices (BMPs) will be used to minimize impacts to resources in the project area (Appendix G). Our concerns with the project are related to its potential to further degrade water quality within Potlach River and tributaries that are already on the state of Idaho's current 303(d) list due primarily to temperature and sediment load exceedances, and missing or unclear information.

The draft EIS states that the analysis of this project was originally documented in an Environmental Assessment (EA) and that the Decision Notice was later withdrawn in favor of documenting the analysis in an EIS. EPA supports the decision and appreciates the level of analysis in the EIS, however the document does not clearly state which factors influenced the decision and which impacts rose to the level of significance. We recommend that the final EIS include this information. We are pleased with the consideration of public comments in the EIS planning process for the project, especially the creation of Alternative 3 in response to the Nez Perce Tribe's concerns with the project. Since Alternative 3 would also result in less timber harvest and associated road work, it would also be more protective of the environment than the Preferred Alternative. Thus, we recommend that Alternative 3 (Existing Roads) be considered for selection as the environmentally preferable alternative for this project implementation.

Water quality

Water quality degradation is one of EPA's primary concerns. Section 303(d) of the Clean Water Act (CWA) requires the State of Idaho to identify water bodies that do not meet water quality standards and to develop water quality restoration plans to meet established water

quality criteria and associated designated uses. The draft EIS must disclose which waters may be impacted by the project, the nature of potential impacts, and specific pollutants likely to impact those waters. Antidegradation provisions of the CWA also apply to those water bodies that are currently meeting water quality standards.

The draft EIS identifies impaired waters in the Project area (p. 12) and indicates that a Total Maximum Daily Load (TMDL) has not yet been written for impaired streams and creeks within the project area. We noted that the EPA-approved 1998 303(d) list referred to in the draft EIS is outdated. For the state of Idaho, the most recent 303(d) list was approved by EPA in November 2002. We recommend that the final EIS include information from the most current 303(d) list, note any differences between the 1998 and 2002 lists for relevant parameters and water bodies in the Project area, and discuss analyses and conclusions that may be affected by the more recent information.

The analyses presented in the draft EIS indicate that waters within the project area do not currently meet Idaho water quality criteria, especially temperature and sediment. Since not all sections of the streams and creeks found within the project area are impaired, the final EIS should provide data detailing which sections of the streams and creeks exceed and meet water quality standards, affected criteria, and effects to beneficial uses. This information can be obtained from the Idaho Department of Environmental Quality (IDEQ). Where water quality standards are exceeded, it would be useful to know how polluted streams and creeks would be restored. For those sections of streams/creeks that are currently meeting water quality standards, please provide information that demonstrate water quality standards would be maintained or improved.

Although there are no TMDLs for impaired streams and creeks within the project area, we recommend that the FS continue to coordinate with IDEQ as the proposed TMDL for Potlatch River and associated creeks and water quality restoration plans are developed and implemented to meet state water quality standards. The final EIS should include information regarding the status of the proposed TMDL and also any relevant information contained in a recent Memorandum Of Agreement (MOA) between EPA and FS about specific actions that can be taken to address water quality impairments and restoration on national forest system lands. The MOA was signed on September 28, 2007.

Planned activities such as vegetation removal and road construction and use could further degrade water quality with respect to these parameters, especially where treatments would occur in areas close to 303(d) listed waters. In drier areas, manual and mechanical/physical removal of slush and debris could result in increased sediment delivery until sites are seeded and vegetation is re-established. When roads reconstruction and decommissioning, prescribed fire, livestock grazing, and invasive plant treatment activities are added to the proposed action, cumulative sediment delivery, temperature, and other impacts to water quality could also be significant.

Source Water Protection

Source water is defined as untreated water from streams, rivers, lakes, springs, and aquifers that is used as a supply of drinking water. Source water areas are the sources of drinking water delineated and mapped by states for each federally-regulated public water system. Thus, the 1996 amendments to the Safe Drinking Water Act (SDWA) require federal agencies to

protect these source waters. The draft EIS indicates that the town of Juliaetta receives some of its municipal drinking water from Potlatch River on which a 500 ft. buffer has been established on either side of the river and up to 25 miles upstream to protect the source water for Juliaetta. Because we are concerned that the proposed project activities may impact drinking water within the delineated source water assessment area for the town of Juliaetta (p. 12), we recommend that the final EIS include information about existing drinking water quality standards, any exceedances thereof, and measures that would be taken to protect source water for communities in Juliaetta.

Air quality

Since treatment of hazardous fuels would involve fire, access roads and road construction, reconstruction, and reconditioning, and the entire project area is within the Wildland Urban Interface (WUI) where sensitive populations may exist; it will be important to monitor air quality and take corrective action if air quality standards are not met. Such monitoring should be tailored to local conditions because localized air quality impacts can be substantial, even though area-wide and/or long term monitoring may show the project's compliance with air quality standards. Generally, air quality may be impacted in the short term due to access roads use, prescribed burning, and invasive plant treatment activities; and in the longer term due to traffic on dirt roads, emissions from vehicles and on-site operations, and cumulative impacts from surrounding activities such as agriculture and fire.

Modeling

While we support use of WEPP and WATBAL models to characterize soil erosion risks and water quality and fish habitat, these and other models provide general guidance and may require data representative of the project area for useful estimations. As an example, if shrub cover was used with the WEPP model and the project area is a mosaic of forest, grasslands, and shrub plant communities, then the model results may not estimate erosion impacts accurately. Therefore, models need to be used cautiously. The final EIS should include information detailing each model's assumptions, limitations and strengths, how they are used, and the reasons for their choice as the best tools to analyze effects associated with the proposed project. This information is currently missing from the draft EIS.

Since the average duration of the proposed activities is 4-7 years (p. 9), it is not yet clear why an average of 3 years was used with the models to indicate the level of impacts to water quality and fish habitat by the project. The final EIS should include information clarifying the reasoning behind use of the 3 years.

For the reduction in sediment production and discharge in Little Boulder Creek and Hog Meadow Creek, it is a bit difficult to compare the numbers presented in Tables 4.4, 4.6, and 4.8 because of missing information explaining the WEPP model prediction results for savings in sediment. Due to road decommissioning, for example, WEPP predicted that there would be no savings in sediment under Alternative 3 (Table 4.4, p. 79). Table 4.6 and 4.7 show the same savings in sediment under Alternative 2 and 3, if roads were decommissioned. The final EIS should include information clarifying how WEPP model predicts savings in sediment.

Other comments

In the draft EIS, there are references made to information kept in the project file. However, no information was provided to indicate how the public that cannot travel to the FS Office where the project files are kept could access the referenced information. On page 78 and 83, for example, the reader is referred to Appendix A in the Fish, Watershed and Soils Report and to the MIS Wildlife and Plants Resources Status Report, respectively. Please provide a summary of this information to reviewers.

The draft EIS indicates the number of acres for timber harvests under Alternative 2, but the numbers are not consistent throughout the document. The final EIS should include consistent information about the acres.

Because of concerns about water quality and missing or unclear information, we have assigned a rating of EC-2 (Environmental Concerns – Insufficient information) to the draft EIS. This rating and a summary of our comments will be published in the *Federal Register*. For your reference, a copy of our rating system used in conducting our review is attached.

We appreciate the opportunity to review the draft EIS for the proposed Cherry Dinner project. If you have questions or would like to discuss our comments in detail, please contact Theo Mbabaliye at 206-553-6322 or myself at 206-553-1601.

Sincerely,

/s/
Christine B. Reichgott, Manager
NEPA Review Unit

cc:
EPA Idaho Operations Office
Idaho Department of Environmental Quality
Nez Perce Tribe